

AUG 25 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Stephen W. Rose

Serial No. 09/599,269

Filed: June 22, 2000

**Title: ANNULAR PLEATED FILTER CARTRIDGE
FOR LIQUID FILTRATION APPARATUS**

Group Art Unit: 1724

Examiner: Terry K. Cecil

OFFICIAL

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Applicant submits this Amendment upon filing of a second RCE, at the suggestion of Examiner Cecil in a telephone interview of August 24, 2005. The RCE and this Amendment follow the Advisory Action of August 19, 2004.

This Amendment has the following content and does the following things:

- Makes the claim amendments which, as the August 19, 2004 Advisory Action shows, were not entered by applicant's filing of the "Amendment Under 37 CFR §1.116";
- Makes pertinent arguments regarding Patent No. 3,042,571 (Jackson), a patent mentioned by Examiner Cecil in his brief comments in the Advisory Action;
- Includes all the remarks in support of patentability that were in the non-entered Amendment Under 37 CFR §1.116, including remarks commenting on the earlier Advisory Action (of April 19, 2004) which by their nature required response;
- Includes, late in the remarks below, additional patentability-support remarks that are now pertinent given the reference to the mesh layer; and

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- Provides a further declaration of Dr. Ernest Mayer, now showing the irrelevance of inclusion of a mesh layer to the issue of whether use of TYVEK Soloflo filter sheet material is non-obvious *in annular pleated non-woven filter cartridges*.

Applicant strongly submits that, in view of all the evidence now of record, applicant's amended claims represent a significant and patentable advance in the field of *annular pleated non-woven filter cartridges*. Such claims are in condition for allowance.

Applicant thanks Examiner Cecil for the telephone interviews of July 20 and August 24, 2004. During the July 20 interview, it was pointed out that the May 25, 2004 Office Action referred to the April 19, 2004 Advisory Action (which preceded the first RCE). During that interview, the undersigned dealt with points discussed by the prior Examiner in such Advisory Action. The points made during such July 20, 2004 telephone interview will be summarized and discussed in detail below, after the listing of claims as amended. In the brief telephone interview of August 24, 2004, key points were re-emphasized and the irrelevance of the mesh layer to obviousness was briefly discussed. Examiner Cecil indicated that matters would be considered upon the filing of the RCE and an accompanying amendment, both of which are now filed.

Applicant asks for full and careful consideration, particularly given the highly specific and factual information in Dr. Mayer's declarations in support of patentability.

Amended claim 1 now becomes the sole independent claim. Based on this amendment, *claims 1-4, 6-7, 9, 11, 13-15, 17 and 20-21 now remain pending*, and are listed below. *Claims 10, 12, 18-19, 22-25, 27 and 29-31 are now canceled without prejudice*; claims 5, 8, 16, 26 and 28 were earlier canceled.

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The claims as now presented involve no new matter. Applicant's present amendments incorporate into claim 1 points that are specifically described in the specification and included in certain dependent claims, now canceled. The claimed invention is an important advance in the field of annular pleated non-woven filter cartridges. Applicant has strongly shown the basis for patentability.

Applicant's claims are set forth beginning on page 4 of this Amendment.

Remarks/arguments begin on page 8 of this Amendment.